

1 Mark P. Kindall, Cal. Bar No. 138703
2 mkindall@ikrlaw.com
3 Robert A. IZARD, *pro hac vice*
4 rizard@ikrlaw.com
5 IZARD KINDALL & RAABE LLP
6 29 South Main Street, Suite 305
7 West Hartford, CT 06107
8 Telephone: (860) 493-6292

6 Gregory Y. Porter, *pro hac vice*
7 gporter@baileyglasser.com
8 Mark G. Boyko, *pro hac vice*
9 mboyko@baileyglasser.com
10 BAILEY & GLASSER LLP
11 1055 Thomas Jefferson Street, NW Suite 540
12 Washington, DC 20007
13 Telephone: (202) 463-2101

11 Joseph A. Creitz, Cal. Bar. No. 169552
12 joe@creitzserebin.com
13 CREITZ & SEREBIN LLP
14 100 Pine Street, Suite 1250
15 San Francisco, CA 94111
16 Telephone: (415) 466-3090

15 *Attorneys for the Plaintiffs*

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **OAKLAND DIVISION**

19 MARLON H. CRYER, individually and on
20 behalf of a class of all others similarly situated,
21 and on behalf of the Franklin Templeton 401(k)
22 Retirement Plan,

22 Plaintiffs,

24 v.

25 FRANKLIN RESOURCES, INC., the Franklin
26 Templeton 401(k) Retirement Plan Investment
27 Committee, and DOES 1-25,

28 Defendants.

Lead Case No. 4:16-cv-04265-CW
[Consolidated with Case No. 4:17-cv-
06409-CW]

JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO ENLARGE
STAY OF ALL PRE-TRIAL AND
TRIAL DEADLINES

Judge: Hon. Claudia Wilken

1 Pursuant to Rules 6-1, 6-2, 7-12, and 40-1 of the Civil Local Rules of the United States
2 District Court for the Northern District of California, Plaintiffs and Defendants file this Joint
3 Stipulation to Enlarge Stay of Pre-Trial and Trial Deadlines in the above-captioned case. This
4 filing is made with respect to the following facts and recitals:

5 WHEREAS, the parties filed a notice on December 6, 2018, informing the Court that they
6 had reached an agreement in principle to settle this case, *see* Dkt. No. 150;

7 WHEREAS, the parties requested a stay of all pre-trial and trial deadlines for sixty (60)
8 days to permit Plaintiffs sufficient time to prepare and file a motion for preliminary approval, *see*
9 *id.*;

10 WHEREAS, the Court granted the parties' stipulation on December 7, 2018, and stayed
11 all pre-trial and trial deadlines for a period of sixty days (i.e., until February 5, 2019), *see* Dkt.
12 151;

13 WHEREAS, the parties have been working diligently to prepare the settlement agreement
14 and associated filings;

15 WHEREAS, the parties have conferred and agreed, subject to the Court's approval, that a
16 short, one-week extension of the current stay is appropriate to permit the parties to finalize the
17 settlement agreement and preliminary approval filings;

18 WHEREAS, enlarging the stay of all current pre-trial and trial deadlines for one week
19 would avoid potentially unnecessary expenses and fees while the parties finalize the settlement
20 agreement and filings;

21 NOW, THEREFORE, by and through the undersigned counsel, the parties stipulate and
22 agree, subject to the Court's approval, that all pre-trial and trial deadlines should be stayed for an
23 additional period of seven (7) days from the end of the current stay (i.e., until February 12, 2019),
24 and that the deadline for Plaintiffs to file their motion for preliminary approval should be
25 extended one week to February 12, 2019.

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1 IT IS SO STIPULATED.

2
3 Dated: February 5, 2018

MARK P. KINDALL
ROBERT A. IZARD
IZARD KINDALL & RAABE LLP

5
6 GREGORY Y. PORTER
MARK G. BOYKO
7 BAILEY & GLASSER

8 JOSEPH A. CREITZ
9 CREITZ & SEREBIN LLP

10 By: /s/ Mark G. Boyko
Mark G. Boyko

11 Attorneys for Plaintiffs

12
13 Dated: February 5, 2018

BRIAN D. BOYLE
CATALINA J. VERGARA
14 O'MELVENY & MYERS LLP

15
16 By: /s/ Catalina J. Vergara
Catalina J. Vergara

17 Attorneys for Defendants
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1 **ATTESTATION OF FILING**

2 Pursuant to General Order No. 45, Section X(B) regarding signatures, I, Mark G. Boyko,
3 hereby attest that concurrence in the filing of this Joint Stipulation and [Proposed] Order to
4 Enlarge Stay of All Pre-Trial and Trial Deadlines has been obtained from Catalina J. Vergara
5 with conformed signatures above.
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7 Dated: February 5, 2018

By: /s/ Mark G. Boyko
Mark G. Boyko

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14 **~~PROPOSED~~ ORDER**

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16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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18 Dated: February 6, 2019

19 Honorable
United States

